

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
DEL RIO DIVISION

THE STATE OF TEXAS,

Plaintiff,

v.

U.S. DEPARTMENT OF HOMELAND
SECURITY, *et al.*,

Defendants.

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CIVIL ACTION NO. 2:23-CV-00055-AM

**[PROPOSED] ORDER GRANTING EMERGENCY APPLICATION FOR A
TEMPORARY RESTRAINING ORDER OR STAY OF AGENCY ACTION**

Before the Court is Plaintiff's Emergency Application for a Temporary Restraining Order or Stay of Agency Action (Dkt. 5). After considering the motion, any opposition, the record, and relevant authorities, the Court hereby GRANTS the motion. Therefore, it is hereby ORDERED that:

Defendants, their respective officers, agents, servants, employees, and attorneys, and all other persons who are in active concert with them are hereby ENJOINED and RESTRAINED from cutting, destroying, damaging, or otherwise interfering with Texas's concertina wire fencing. Any requirement that Plaintiff give security is WAIVED. Fed. R. Civ. P. 65(c).

It is also ORDERED that Defendants' policy, pattern, or practice of cutting, destroying, damaging, or otherwise interfering with Texas's concertina wire fencing is STAYED.

Unless modified by a subsequent order from this Court, this temporary restraining order expires 14 days after its entry, and the stay shall remain in effect pending a final resolution of the merits of this case or until a further order from this Court, the United States Court of Appeals for the Fifth Circuit, or the United States Supreme Court.

SIGNED on this the _____ day of _____, 2023.

Hon. Alia Moses, United States District Judge